

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ERNEST SPILLER,**

**Defendant.**

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**99-CR-30120-WDS**

**ORDER**

**STIEHL, District Judge:**

Before the Court is petitioner's motion for leave to proceed on appeal in forma pauperis. Upon review of the record, the Court **FINDS** petitioner's pauper status to be persuasive and **GRANTS** him leave to proceed on appeal without prepayment of costs.

The Court *sua sponte* corrects the Court's Order of March 13, 2008, *nunc pro tunc*, as follows:

"Petitioner's motion is **GRANTED** to the extent that he seeks additional time to file his notice of appeal and **DENIED** to the extent that he is seeking a recall of the mandate from this Court."

The Clerk of the Court is **DIRECTED** to amend the docket in this matter accordingly.

**IT IS SO ORDERED.**

DATE: May 8, 2008

s/WILLIAM D. STIEHL  
DISTRICT JUDGE